

**OFFICIAL
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**March 18, 2004 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:33 pm in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
 Jean Metts, Vice Chair
 Larry Lawver
 Jay Ammon
 Anne Blakey
 Bill Fahey
 Stewart Fritz

Members Excused: None

Present & Sworn: Marguerite S. Hunter, 03-03-CEB, Respondent
 Gwendolyn Ingram, 03-78-CEB, Respondent
 Deborah Leigh, Senior Code Enforcement Officer, SCSO
 Donna Wisniewski, Code Enforcement Officer, SCSO
 Dorothy Hird, Code Enforcement Officer, SCSO

Others Present: Yvette Brown, Representative for Code Enforcement Board
 Attorney Dan Mantzaris
 Connie R. DeVasto, Clerk to the Code Enforcement Board

IV Swearing in of Witnesses

None

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V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

MOTION BY JAY AMMON, SECONDED BY JEAN METTS TO APPROVE THE REVISED AGENDA.

**TOM HAGOOD, CHAIR – YES
LARRY LAWVER – YES
ANNE BLAKEY – YES
BILL FAHEY – YES**

**JEAN METTS, VICE-CHAIR - YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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The following case will not be heard today:

David L. Toy, 04-20-CEB, Withdrawn by Staff without prejudice

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Case No: 03-03-CEB
Marguerite S. Hunter
Code Enforcement Officer: Donna Wisniewski
Compliant No: 02-05-081

This case was continued from January 23, 2003 to February 27, 2003. On February 5, 2003, Staff filed a Notice of Voluntary Dismissal. On October 29, 2003, Staff filed a Notice to Reinstitute Proceedings. Case heard by Board on December 4, 2003 and an Order was entered. Case was brought before the Board on February 19 for a lien request and continued to the March 18, 2004 hearing by the Board. Compliance was obtained on March 16, 2004.

Requested Board action: Staff requests the Board issue an Order constituting a lien in the amount of \$5,250.00, 70 days of non-compliance from January 6, 2004 through and including March 16, 2004, the date compliance was achieved, at \$75.00 per day, be recorded in the public records.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 18, 2004

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l)(h).
Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or attached carport.
2) Uncultivated vegetation in excess of 24' in height and located within 75' of a structure.
Location: 5038 Lake Lowell Road, Winter Park, (Commission District 4)
Tax Parcel ID # 33-21-30-506-0000-0060

Code Enforcement Officer Donna Wisniewski testified on behalf of the County and advised the Board that an Affidavit of Compliance was filed on March 17, 2004. Officer Wisniewski also advised the Board of the Administrative Costs of \$482.00 incurred for the processing of this case.

Ms. Hunter, Respondent, testified on her behalf and requested that the Board waive her lien.

After discussion of this case by the Board:

MOTION BY JEAN METTS, SECONDED BY LARRY LAWVER TO RESCIND THE FINE/LIEN AND THAT THE ORDER RESCINDING FINE/LIEN BE:

ORDER RESCINDING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 33-21-30-506-0000-0060) located at 5038 Lake Howell Road, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 6 TANGLEWOOD SEC 2
1ST REPLAT PB 10 PG 44

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 4, 2003, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Sections 95.3(l)(h).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 18, 2004

Said Order required Respondent to take certain corrective action by January 5, 2004.

Said Order stated that a fine of \$75.00 per day would be imposed if Respondent did not take certain corrective action by the date set for compliance.

An Affidavit of Non-Compliance bearing the date of January 6, 2004, has been filed with the Board by the Code Officer. Said Affidavit certifies under oath that the required corrective action at this location has not been obtained.

An Affidavit of Compliance bearing the date of March 17, 2004, has been filed with the Board by the Code Officer. Said Affidavit certifies under oath that the required corrective action at this location has been obtained.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated December 4, 2003, the Board orders that the fine of \$5,250.00, for 70 days of non-compliance @ \$75.00 per day imposed against the property, **be rescinded.**

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 18th day of March, 2004, in Seminole County, Florida.

**TOM HAGOOD, CHAIR – YES
LARRY LAWVER – YES
ANNE BLAKEY – YES
BILL FAHEY - YES**

**JEAN METTS, VICE-CHAIR - YES
JAY AMMON – YES
STEWART FRITZ – NO**

MOTION CARRIED 6 – 1.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 18, 2004

Case No 03-78-CEB
Gwendolyn Ingram
Inspector: Dorothy Hird
Complaint No: 03-3137

This case was heard by the Board on September 29, 2003 and an Order was entered. Case was brought before the Board for a lien request on January 22, 2004 and continued to March 18, 2004 by the Board. Compliance was obtained on March 5, 2004.

Requested Board action: Staff requests that Board issue an Order constituting a lien in the amount of \$12,400.00, 124 days of non-compliance from November 1, 2003 through and including March 4, 2004, at \$100.00 per day, be recorded in the public records.

Violation Charged: Seminole County, Chapter 95, Section 95.4 as defined in Section 95.3(l) and Seminole County Land Development Code, Chapter 30, Section 30.182 & 30.183.
Described as: 1) Junked or abandoned vehicles not kept within an enclosed garage or an attached carport.
2) A business or extension of a business not permitted or conditional use in a residential zone.
Location: 125 Leon Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-507-0000-0670

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised that the Respondent is in compliance at this time.

Gwendolyn Ingram, Respondent, testified on her behalf and requested that the Board not lien her property.

The Board inquired as to whether Staff would oppose a decision to rescind this lien and Officer Hird advised that she would not oppose.

After discussion of this case by the Board:

MOTION BY JEAN METTS, SECONDED BY LARRY LAWVER TO RESCIND THE FINE/LIEN AND THAT THE ORDER RESCINDING FINE/LIEN BE:

ORDER RESCINDING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 18-21-30-507-0000-0670) located at 125 Leon Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 67 + 68 REPLAT OF WINWOOD PARK PB 3, PG 30

This case came on for public hearing before the Code Enforcement Board of Seminole County on the September 25, 2003, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.3(1) and Seminole County Land Development Code, Chapter 30, Section 30.182 & 30.183.

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by October 31, 2003.

An Affidavit of Non-Compliance bearing the date of November 19, 2003, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has not been obtained.

An Affidavit of Compliance bearing the date of March 5, 2004, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has been obtained.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated September 25, 2003, the Board orders that the fine of \$12,400.00, 124 days of non-compliance at \$100.00 per day imposed against the property, **be rescinded**.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 18th day of March, 2004, in Seminole County, Florida.

**TOM HAGOOD, CHAIR – YES
LARRY LAWVER – YES
ANNE BLAKEY – YES
BILL FAHEY – YES**

**JEAN METTS, VICE-CHAIR – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MARCH 18, 2004

Case No 03-71-CEB
Charlie L. Boykins, Sr. &
Ruby L. Boykins
Inspector: Dorothy Hird
Complaint No: 03-1140

This case was heard by the Board on August 28, 2003 and an Order was entered. Case was brought before the Board for a lien request on February 19, 2004 and at Staff request, continued to the March 18, 2004 hearing. This property remains in non-compliance.

Requested Board action: Staff requests the Board issue an Order constituting a lien in the amount of \$3,600.00, 72 days of non-compliance from January 6, 2004 through and including March 18, 2004, at \$50.00 per day be recorded in the public records and the fine shall continue to accrue at \$50.00 per day for each day the violation continues past March 18, 2004.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(j).
Described as: 1) Accumulation of trash and debris.
2) Used or scrapped building materials.
Location: 3450 Garbo Jack Lane, Sanford (Commission District 5)
Tax Parcel ID #33-19-31-300-040A-0000

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised that she has filed an Affidavit of Compliance testifying that the Respondents were in compliance on March 15, 2004. She also testified that the Respondents told her in person, as they would not be able to attend this meeting, that they would like for her to request the Board rescind their lien on their behalf.

After discussion of this case by the Board:

MOTION BY JEAN METTS, SECONDED BY LARRY LAWVER TO RESCIND THE FINE/LIEN AND THAT THE ORDER RESCINDING FINE/LIEN BE:

ORDER RESCINDING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 33-19-31-300-040A-0000) located at 3450 Garbo Jack Lane, Sanford, located in Seminole County and legally described as follows:

LEG SEC 33 TWP 19S RGE 31E N 75 FT OF E 140 FT OF SW ¼
OF SW ¼ OF NW ¼

This case came on for public hearing before the Code Enforcement Board of Seminole County on the August 28, 2003, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(j).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by January 5, 2004.

An Affidavit of Non-Compliance bearing the date of January 6, 2004, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has not been obtained.

An Affidavit of Compliance bearing the date of March 15, 2004, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has been obtained.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated August 28, 2003, the Board orders that the fine of \$3,400.00, 68 days of non-compliance at \$50.00 per day imposed against the property, **be rescinded.**

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 18th day of March, 2004, in Seminole County, Florida.

**TOM HAGOOD, CHAIR – YES
LARRY LAWVER – YES
ANNE BLAKEY – YES
BILL FAHEY – YES**

**JEAN METTS, VICE-CHAIR – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

VII Approval of the minutes from the meeting of February 19, 2004

MOTION BY BILL FAHEY, SECONDED BY JAY AMMON TO APPROVE THE MINUTES FROM THE MEETING OF FEBRUARY 19, 2004.

VIII Election of Chair and Vice-Chair

The gavel was passed to the Clerk who opened the floor for nominations:

MOTION BY BILL FAHEY, SECONDED BY JAY AMMON TO NOMINATE TOM HAGOOD AS CHAIRMAN OF THE CODE ENFORCEMENT BOARD.

Having no additional nominations, the Clerk closed the floor for discussion. As there was no discussion on the nomination, this vote passed unanimously.

The Clerk opened the floor for nominations for Vice Chair:

MOTION BY BILL FAHEY, SECONDED BY ANNE BLAKEY TO NOMINATE JEAN METTS AS VICE CHAIR OF THE CODE ENFORCEMENT BOARD.

Having no additional nominations, the Clerk closed the floor for discussion. As there was no discussion on the nomination, this vote passed unanimously.

The gavel was passed to Tom Hagood, Chair.

IX Confirmation date of next meeting: April 22, 2004

X Old Business – None

XI New Business – Discussion by the Board regarding rescinding liens (for cases where the Respondent is in compliance) without assessing Administrative Costs.

XII Adjourn – There being no further discussion, this meeting was adjourned at 1:45 pm.

Respectfully submitted:

Connie R. DeVasto
Clerk to the Code Enforcement Board
03-18-04 minutes

Tom Hagood
Chair